

**Reference: 2024-0125-6**

19 April 2024

Mr. Marc Morin

Secretary General

Canadian Radio-television and

Telecommunications Commission

Ottawa, Ontario

K1A 0N2

Subject: **Bell ExpressVu Part 1 Application to Amend Certain Conditions of Licence Applicable to Bell ExpressVu’s Satellite Relay Distribution Undertaking (SRDU) Licence – Reply to FRPC Procedural Request**

Dear Mr. Morin,

1. We are in receipt of a letter dated 18 April that was sent by the Forum for Research and Policy in Communications (FRPC) to the Commission, wherein FRPC requests that the Commission deny certain of Bell ExpressVu’s requests for confidentiality in its Application to Amend Certain Conditions of Licence Applicable to Bell ExpressVu’s Satellite Distribution Undertaking (SRDU). More specifically, FRPC asks that the Commission remove confidentiality for specific sections of paragraphs 18 and 23 of our Application.[[1]](#footnote-1)
2. The FRPC has requested that the following text be made public:

- Paragraph 18: “… In 2023, our SRDU contributed only # # towards the creation of Canadian programming – a large decline from the # # that our SRDU service contributed in 2016. …”

- Paragraph 23: “… We suspect that a single large exempt BDU # #.”[[2]](#footnote-2)

1. With respect to paragraph 23, we agree to disclose the confidential text.[[3]](#footnote-3)
2. As regards the FRPC’s request related to a specific portion of paragraph 18, we ask the Commission to maintain confidentiality. Despite the FRPC’s claims to the contrary, specific knowledge of our SRDU’s historic and current contributions to Canadian programming would enable competitors and customers to reverse engineer our SRDU’s overall broadcasting revenues, and these revenues have never been made public by the Commission.
3. Our SRDU operates in a competitive environment. Providing the market with highly specific knowledge of our financial performance *could* aid competitors in affecting changes to their business strategies including their pricing and customer acquisition strategies. Additionally, it could impact negotiations with our own customers. **Additionally, the general range of our SRDU’s broadcasting revenues can be easily imputed within the context of our application.** In fact, at paragraph 20 of our Application, we acknowledge that our SRDU’s broadcasting revenue is now below $1.5M. This information should be more than sufficient for parties to formulate arguments regarding whether or not our SRDU is currently making material contributions to the objectives of the *Broadcasting Act*.
4. For these reasons, we ask the Commission to continue to protect the confidentiality requests that we made related to paragraph 18 of our Application.

Yours truly,

*[ Original signed by J. Daniels ]*

**Jonathan Daniels**

Vice President - Regulatory Law

c.c.: Monica Auer, FRPC

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1. Table 1 of FRPC’s request to the Commission erroneously lists paragraph 26 as the paragraph where confidentiality should be removed, when the actual text in question is from paragraph 23. The text of FRPC’s letter further indicates that it is requesting a removal of confidentiality to a portion of paragraph 23. [↑](#footnote-ref-1)
2. Ibid. [↑](#footnote-ref-2)
3. For clarity, we are only rescinding our request for confidentiality for the specific passage referenced by FRPC (above) and not any additional confidentiality claims requested in paragraph 23. [↑](#footnote-ref-3)